

From: Barnhill, William David
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/24/02 1:09pm
Subject: Microsoft Settlement

Sir or Madam:

I have been a professional in the field of computing for over 25 years. I have been both an academic computing consultant and manager, and an entrepreneur, having founded four companies that paid taxes, had employees and generally contributed to the economy. I believe I have a solid grasp of the legal issues as well, as the son of a law professor and former prosecutor, I myself spent some years in the law, trying to decide if I wished to become an attorney.

The original settlement was just. The current proposal does nothing to offer remedies. Microsoft has continually produced poorly written software, at a high price, with absurd licensure terms. No other product we buy has ever been as beholden to a single company (perhaps the DeBeers monopoly on the diamond trade rises to this level). If Ford, GM or Chrysler behaved in the cavalier, predatory fashion Microsoft does, the automobile industry would have us using band brakes, hand cranks and we would be forced to purchase our gasoline from Microsoft only gas stations.

Every industry in it's infancy has some issues with regulation. This is just like the situation with the railroads in the nineteenth century. Something should be done, something WAS done, and this new settlement undoes the excellently crafted decision of the trial judge. PLEASE reconsider, there is almost no question within the industry that breakup would produce STRONGER companies (viz. Standard oil's breakup). The first time I read an industry editorial suggesting this was circa 1990 - isn't it time to listen to the industry, rather than a single player in the industry, no matter how rich and powerful they may be?

Best, and thank you for your consideration,

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